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Equality and Diversity Policy

Our commitment

We are committed to providing equal opportunities in employment, membership and volunteering and to avoiding unlawful discrimination. The work of our membership is to support those who may be open to discrimination and unfair treatment and so this is a central theme of our work as a charity. This policy is intended to assist putting this commitment into practice. Our aim is that our work is free of harassment and bullying and that everyone is treated with dignity and respect.

Our Capability Framework

UMHAN's Capability Framework outline our central tenets, and one of our Essential Shared Capabilities, "Challenging Inequality" defines our stance:

Addressing the causes and consequences of stigma, discrimination, social inequality and exclusion for people with mental health difficulties, in particular those related to access to education. A commitment to the social model of disability as it applies to people with mental health difficulties. Creating, developing or maintaining valued social roles for people in the community.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, pregnancy and maternity, race (which includes

colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments to overcome barriers to using services caused by disability.

The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

- **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does, e.g. the parent of a disabled child.
- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.
- **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act, i.e. because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Job descriptions will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on objective criteria. We will consider making reasonable adjustments in recruitment as well as in day-to-day employment.



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Equal opportunities in membership

UMHAN welcomes anyone into our membership, providing they fulfil our eligibility criteria and agree to the tenets of our Capability Framework. We will not discriminate unlawfully against members using or seeking to use the services we provide. We aim to operate a transparent application process, in order that we can clearly state why an applicant may have had their application refused.

Equal opportunities in volunteering

Volunteers are a crucial part of the running and development of UMHAN – as trustees, committee members and working group members. As such we commit to preventing discrimination against volunteers – either in the recruitment process or while they are volunteering with us.

Diversity

UMHAN recognises that the diversity of its members is inextricably linked to the diversity (or lack of) within Higher Education Support Services. However, we openly welcome the many benefits that follow having a diverse membership, staff and volunteers. We will actively seek to ensure that we represent the wide diversity of students with mental health conditions and will be mindful of intersectionality when we do so. We will actively try and recruit a diverse board of Trustees, mindful of the work and recommendations of organisations such as “#Charity So White”.

Training

We will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

We will seek to provide training for our members that reflects the diversity of the student body.



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Your responsibilities

All staff, members and volunteers are responsible to support the organisation to meet its commitments as stated above, and should ensure that they follow our Code of Conduct. If you believe that you have been discriminated against you should report this to the Charity Manager under the complaints procedure. We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

If you witness what you believe to be discrimination you should report this to the Charity Manager as soon as possible.

If the Charity Manager believes they have been discriminated against, they will report this to the Chair of Trustees; in the case that the discrimination involves the Chair, the Charity Manager will raise the issue with another Trustee.

Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Code of Conduct

- People will be treated with dignity and respect regardless of race, nationality, gender, sexual orientation, gender reassignment, disability and/or age.
- At all times people's feelings will be valued and respected. Language or humour that people find offensive will not be used, e.g. sexist or racist jokes or terminology which is derogatory to someone with a disability.



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- No one will be harassed, abused or intimidated on the grounds of his or her race, nationality, gender, sexual orientation, gender reassignment, disability or age. Incidents of harassment will be taken seriously.

Monitoring and review

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. We will report to the board of trustees on any actions or activities undertaken to improve equality and diversity within the charity. Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the General Data Protection Regulation.